App. F. IX-4

1930-31

File No. 99-30

Previous References

Serial Nos. 1-8

Later References

(29)

General and Revenue Secretariat.

Serial Nos. Eight.

Part B for April 1931

SUBJECT.

G. R. S. APP F. III—11] 1930.

GENERAL AND REVENUE SECRETARIAT.

(Law)

NOTES.

File No. 99-3

FILE HEADING.

Notice by Mr. N. Balakrishnaiya, Advocate Bangalore

FROM Mr. N. Balakrishnaiya, Advocate, B'lore

No. – Dated 21. 1. 31 Received 22. 1. 31

Diary No. 3642	Enclos.	Spare copies	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Claiming interest on certain amount deposited in Govt. Savings Bank in the Taluk Treasury at Malur, bearing S.B. no. 886.

NOTES AND ORDERS.

1 It is pointed out that one Munivenkatappa had deposited a sum of Rs/ 4031-12-4 in the Govt. Savings Bank at Malur and after his death his eldest son M. Venkataswamy the present applicant, having produced a Succession Certificate, was allowed to withdraw

NOTES—First Sheet.

WD 01683—GPB—5,000—3-5-29

Serial No.

a Sum of Rs/4179.. He was informed by the Treasy. office that a Sum of Rs 4360-0-4 was due to him till the end of June 1929, and that he should therefore produce the required Certificate for the full amount at his Credit. On his production of the Executor Succession Certificate he found that the Comptroller had issued orders that he was not entitled to any interest from 1.8.29 the 1st of the month in which notice under Rule 7 of A of the Saving Bank Rules was issued.

Hence the present notice under Sec 80 C.P.C. claiming the interest of the amount deposited.

Dft to the Comptroller requesting to submit a report in the matter & put up

ISD
29/1

3 Issues & Then enquire whether there are any cases in the Pol Branch

29/1

To

The Comptroller to Govt
No P. 45080 dated 31st Jan 31
forwarding a copy of the notice and requesting to send a report explaining the circumstances under which the claim of interest has been dismissed

To Govt fin Br for favour of putting up cases if any

ISD
2/2

RECEIVED & REGISTERED

FINANCIAL BRANCH

NOTE—Contn. Sheet.

WD 02553—G PB—50,000—8-30

Letter no. 3.41/S.B. dated 2-2-31 from the Comptr: forwarding copy of notice issued by Mr: Balakrishnaniya, on behalf of his Client Mr: Venkatarangamy, Madras, in regard to payment of interest on dues to him from 1.5.29 upto 21.12.29 & requesting to be favoured with the opinion of the Law Deptt: in the matter (S.B. Rule 78(A).

Subd: 5. The file may be sent to L.R for favour of opinion as desired by the Comptr: in para 4 of the above letter.

6. The papers relating to the adoption of the rules in force in the Bikaner State as rule 2 of Savings Bank Rule 40 - (in the payment of interest on deceased depositor's account) are enclosed herewith: (D4: no: H: 153) vide last para of the above letter.

Refer para 4 of the notes.

7) L.R may see Counsel

7.2.31.

H. Secy.

8) To L.R with compliments for favour of opinion. vide para 4 of P.N.

7.2.31

Letter no. 3.41/S.B. dated 6: Feb: 1931 from the Comptroller enclosing a copy of the letter addressed to the Finl Secy.

Subd with refce to para 5 supra.

ISD
4/2

Serials — today

also Kunkley Cat from Hdqrs an up to date edition of S.B. Rules

Pass up with Laws Cty 7.2.31 ISD 11/2

11/2

Serial No.

9) This is a notice of suit issued under Sec 80 . C.P. Code by one Sri Venkatasami son of late Sri. Muniveeratappa, claiming interest on the amount in deposit in the Govt: Savings Bank at the Malur Taluk Treasury from 1. 5. 29 to 21-12-29 . The facts of the case are briefly as follows:-

10) One Muniveeratappa who had a deposit of Rs 4000/- & odd in the Savings Bank at the Malur Taluk Treasury, died in april 1929 . His eldest son applied for the amount on 3. 5. 29 & he was told on 6. 5. 29 that he had to produce a Succn certificate . He produced the Succn certificate & was paid on 21. 12. 29 a Sum of Rs 4179-0-11 which included interest on the deposit only till 1. 5. 29 . The Comptroller has disallowed the claim for interest after 1-5-29 under rule 40 of the S. B. Rules note 2 to which says :-

11) " Interest on the account of a deceased depositor ceases to accrue from the first day of the month in which notice is issued by the Treasury officer to the person or persons recognised as entitled to receive the balance of the account."

12) The comptroller contends that the intimation sent by the Treasury on 6-5-29

NOTE—Contn. Sheet

to the party asking him to produce a Sec^{n}. Certificate and have his amount refunded is a notice under the rule.

(v) The Advocate on behalf of the party however contends that the intimation of 6-5-29 was not a notice under the rule which could have the effect of stopping accrual of interest from there-

(vi) Rule 78 A which is a rule framed for the guidance of the Treasury officers throws some light as to what the requirements of a notice under rule 40 ~~are~~ ought to be. It is as follows:-

(4) "On receipt of intimation of the death of a depositor, the fact and the date of death should be noted prominently against the last available balance in the ledger account of the deceased depositor. After making enquiries as to who is entitled to receive the amount at the credit of the account, the Treasury Officer should issue a notice to the person or persons recognised as entitled to it, calling upon such person or persons to receive the balance and close the account and stating forth that the account will cease to earn interest

Serial No.

from the 1st of the month in which such notice is issued."

16) No copy of the letter of 6th May 1919 is sent by the Comptroller & in its absence it is difficult to say whether it can be construed as a notice under Rule 78A. of the S.B. Rules. Draft calling for further information is therefore put up for orders. After its receipt, the legal aspect of the question will be worked up & submitted. Meanwhile, an endorsement will if approved be issued to the party acknowledging the receipt of the notice & stating that the matter is under inquiry.

Legal R^r

DR
12/2

17) Issue D of S'.

Have the rules above need to be obs^d on Statutory basis?

No legal heir can be expected to provide himself with an H.P. certificate for immediate production before the death of the depositor, and the delay involved in getting a certificate is due to causes beyond the party's control. On what principle is he deprived of the interest for the intervening period?

D. 14/
B/2

ISSUED
&
RESUBMIT

NOTE—Contn. Sheet

WD 02553—50,000—GPB—8-7 30

Issue & resubmit
DR 14/2

To

The Comptroller

No. P. 5052 dated 14th Feby 1931 requesting to send immediately a copy of the letter addressed to the party by the Treasury on 6th May 1929 upon which the claim has been disallowed

To

Mr. V. Balakrishnaya, Advocate

No. P. 5052 dated 14.2.31 informing that the matter is under enquiry and further Communication will be sent in due Course.

Receipt

TSD 17/2

Please send this to the as soon as the reply from the Comptroller is received. MP Sir A. 7.2

Letter No 392/S.B. dated 13th March 1931 from the Comptroller forwarding the entire file of Correspondence between his office and the Madras Treasury.

18) The letter addressed to the party from the treasury on S.S. 29 does not seem to be in the form of a notice. It merely states that a Certificate from the Court is to be produced under Article 4 of S.B. Rules to the effect that he is a legal Repve of the deceased. Beyond this no other Condition is imposed upon him either as to the time within which such Succession Certificate is to be produced or

Serial No.

any other clause preventing him from making his valid claim. Hence his endorsement by itself does not appear to be a valid notice under sec 70 a (1) of the S.B. Rules as Contemplated by para 2 of the Comptroller's letter. Under such Circumstances the legal Repve of the deceased Venkataswamy is entitled for the interest.

TSD. 17/2

Refer paras 9 to 17 supra.

19) The letter of 8.5.29 (Hayd) Can hardly be a notice to the person recognised as entitled to receive the balance of the account as required by rule 40 of the S.B. Rules. It is a letter asking for a Succn certificate, which clearly shows that ~~it was~~ the recognition of the person's title is not to follow.

The S.B rules in question are not rules which may be said to have the force of law as being framed under a Statute. But they are rules framed which every depositor is presumed to know when ~~he~~ enters into a contract of Deposit. Rule 40 ~~which~~ specially is based on the principle that an unconditional tender absolves the Obligee from further payment of interest. A tender of making the payment only on prodn of a Succn certificate cannot be

NOTE—Contn. Sheet

WD 02553—50,000—GPB—8-7 30

9

File No. of 193

General and Revenue Secretariat.

Such an unconditional tender & hence the Foreign representative is entitled to interest at the agreed rate till the date of payment.

If appd the Comptroller will be informed accordingly. Perhaps the Attl Sey may also be consulted -

Legal Rv

MG
17-3-31

I agree.

DM
18/3

For Secy (Work) Compo

DM
18/3/31

A - I agree in the above view.

For personal perusal return of the file to Secrett.

L
24-3-31

1st Member

MMC
26.3.31

L
26/3.

Dft to the Comptroller is put up

ISD
27/3

Two drafts - one to the comptroller & the other to the party for sig.

Legal Rv

MG
may agree 27/3

DM
28/3.

R3405
G 19/2/31

OFFICE OF THE
FINANCE DEPT.
25 MAR 1931
NO. 638

L

For ISD
Please put up
a clean draft
before Sig.

MG
27/3.

Typed Dft signed.
ISD

General and Revenue Secretariat | File No. | of 193

Serial No.

H. Com 1999
31-3-31

Finl Secy has agreed
Draft + fair Subd
Am. W
31/3/31
Issue
AO
31.3.31
Communicated

To

The Comptroller

no. P. 6162 dated 30.3.31 informing that the party is entitled to the interest at the agreed rate till the date of payment under Rule 40 of the S. B. Rules, and to settle the claim early.

To

Mr. V. Balakrishnaiya

no. P. 6161 d 30.3.31 informing that necessary instructions have been issued to the Comptroller for payment of interest, and to approach him in the matter for further action.

The file of papers received by the Comptroller will have to be returned.

Dft is put up.

ISD
1/4

Issue - This should have been done when the letter of 30/3/31 was issued

BP
1/4

Issued no. P. 6392 dated 4.4.31.

B

NOTE—Contn. Sheet

ISD
1/4

WD 02553—50,000—GPB—8-7 30

N. BALAKRISHNAIYA, B.A., LL.B.
ADVOCATE,
MUNICIPAL COUNCILLOR,
MEMBER, MYSORE REPRESENTATIVE ASSEMBLY

3642 / 930

RESIDENCE:
"HOMESTEAD" SESHADRIPURAM
CHAMBERS: BALEPET CHOWK.

Bangalore City 21st January 19 31

99-30-1

To,

The Chief Secretary,
The Government of H.H.The Maharaja of Mysore,
B A N G A L O R E.

Sir,

Ref:- No. 253/S.B. dated 15th December 1930 from the - Comptroller, The Government of Mysore, Bangalore.

We are desired to inform you as follows under instructions from M.Venkataswamy, son of Munivenkatappa, Tailor, Malur

One Munivenkatappa, our client's father had deposited monies in the Government Savings Bank in the Taluk Treasury at Malur, bearing S.B.account No. 586. He died in April 1929. - On 1-8-1928, there was a sum of Rs 4031-12-4 to his credit in the Bank Account. On 3-8-1929, our client who is the eldest son of Munivenkatappa,the deceased depositer, intimated the - death of his father and applied for the transfer of the account standing in the name of his deceased father to that of his own name. In reply to the said petition our client was given an endorsement that the transfer prayed for will be effected if he produces a Succession Certificate. Accordingly, our client di produce a Succession Certificate and was allowed to withdraw a sum of Rs 4179-0-0 on 21-12-29.

The Treasury Officer at Malur further intimated to our

:lient in his letter No. 147 / 29-30 dated 30-11-29 that
. sum of Rs 4360-8-4 is due to him till the end of June
.929 and that he should therefore produce the required
:ertificate for the full amount at his credit. He pro-
luced the Extention Succession Certificate and applied
'or payment. But in the meanwhile, the comptroller has
:ssued orderes that our client is not entitled to any
interest from 1-5-29, the 1st of the month in which notice
under Rule 78A of the Savings Bank Rules, was issued.

We may, at the very outset. state that no notice
under Rule 78A of the Savings Bank Rules has ever been
received by him. Rule 78A states that the Treasury
Officer should issue "a notice to the person or persons
recognised as entitled to it (deposit amount), calling
upon such person or persons to receive the balance and
close the account and setting forth that the amount will
cease to earn interest from the 1st of the month in whic
such notice is issued"; and it is clear that that rule
does not apply to the present case.

Our client was prepared to withdraw the amount
standing in the name of his father and open his own account
as shown by his application dated 3-5-29. But the
Treasury Officer at Malur wanted him to establish his
claim which natuarally required sometime and our client
did produce the title as desired. Presumably the Com-

N. BALAKRISHNAIYA, B.A., LL.B.
ADVOCATE,
MUNICIPAL COUNCILLOR,
MEMBER, MYSORE REPRESENTATIVE ASSEMBLY

RESIDENCE:
"HOMESTEAD" SESHADRIPURAM
CHAMBERS: BALEPET CHOWK.

2

Bangalore City 21st January 1931.

Comptroller has regarded the endorsement dated 6-5-29 issued by the Treasury Officer at Malur to be the notice and has therefore been led into the error of treating it as such, although the said endorsement does not fulfil any of the conditions laid down in rules 78A of the Savings Bank Rules and thus deprived our client of the legitimate interest due to him till the date of withdrawal.

We would now request you to be so good as to kindly order the payment of interest accrued due on Rs 4360-8-4 from 1-5-29 up to 21-12-29 which is wrongfully withheld, to our client failing which he will be constrained to seek his remedy in a Court of law for the recovery of the interest due with all costs incidental thereto. Please therefore treat this as the notice required under Section 80 of the C.P.Code.

I am
Yours faithfully,
N. Balakrishnaiya
ADVOCATE.
21.1.31.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 4560(1) Law

Dated, Bangalore, 30th January 1931. 31

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Comptroller to Government

Sir, Bangalore.

I am directed to forward herewith a copy of the notice under Sec. 80 Civil Procedure Code from Mr.N.Balakrishnaiya Advocate on behalf of M.Venkataswamy, tailor, Malur claiming certain interest deposited in Government Savings Bank in the Taluk Treasury at Malur and to request you to forward a report for the information of the Government, explaining the circumstances under which the claim for interest has been dismissed.

I have the honor to be,
Sir,
Your most obedient servant,

For Legal Remembrancer and
Secretary to Govt.Law Deptt.

ISD

c.n.

Appendix F G—1

4

SUBJECT.....

.....

.....

Section 1 — Gen

File No. 79-30

Serial No. 2

Diary No. of letter replied to.....

No. 43580(1)

General and Revenue Secretariat

( )

the *193*

To

The Comptroller to Govt

Date of issue 31/1/30

Sir,

Signed by M. N. Rao

I am directed to forward herewith a Copy of the notice under sec 80. C. P. C. from Mr. M. Bala Krishnaiya Advocate on behalf of M. Venkataswamy, Tailor, Kalas claiming certain interest deposited in Govt Savings Bank in the Taluk Treasury at Malur, and to request you to forward a report for the information of the Govt, explaining the

[over

List of enclosures.....

Copied by.....

Examined by.....

WD 02559—GPB—25,000—25-6-30

Circumstances under which

the claim for payment of interest ~~was~~ has

~~stopped~~ been dismissed.

I have etc

TSO
7/1.

MP
9/11 for LR

IMMEDIATE. 3926/30

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. 341/S.B. E/ *Bangalore, dated* 6th February *1931.*

Law 99-30-3

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

To

P. Mahadevayya Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

With reference to your letter No.4580(1) Law 99-30-2 dated 31st January 1931 requesting to forward a report explaining the circumstances under which the claim for interest on Savings Bank Account No.586 of Malur Taluk Treasury was disallowed, I have the honor to forward herewith a copy of this office letter No.327/S.B. dated 2-2-31 addressed to the Financial Secretary requesting to intimate in consultation with the Law Department the correct interpretation of the rules on the subject.

I have the honor to be,
Sir,
Your most obedient servant,

Comptroller.

CV

To

first Br. for favour of putting up the file
sent on 3/2/31

TSD
10/2

It is linked herewith having
been received back for opinion.
Please enter this & submit

10/2

Letter No.327/S.B. dated 2-2-31 from the Comptroller in Mysore, Bangalore, to the Secretary to Government, Financial Department, Bangalore.

=======

I have the honour to state that a sum of Rs 4,179/0/11 was at credit of Savings Bank Account No.586 in the name of Mr.Munivenkatappa in the Malur Taluk Treasury on 1-8-1928. The depositor died without nominating anybody to his account. The eldest son of the deceased Venkataswamy applied on 3-5-29 to the Treasury for payment. The Treasury on 6-5-29 intimated that payment could be made only on production of a succession certificate. Accordingly a sum of Rs 4,179-0-11 as directed in the Succession Certificate was paid to him on 21-12-29 and an extension certificate was called for, for the payment of the accrued interest. The extension certificate is now produced and the full amount of interest up-to-date claimed.

2. The rules for withholding the payment of interest are laid down in Note 2 of Savings Bank Rule 40 intended for the guidance of depositors and in Savings Bank Rule 78A(1) intended for the guidance of the treasury. According to Rule 78(A) the interest for the year ending 30th June 1930 has been disallowed as the party was asked on 6-5-29 to produce a succession certificate and have his amount refunded, considering this as a notice under Rule 78A of the Savings Bank Rules.

3. He has now issued a lawyer's notice (copy enclosed) to the Chief Secretary to Government stating that a regular notice intimating the non-payment of interest was not issued by the Treasury and that therefore the party is entitled to interest to date.

Under the circumstances the Law Department of Government may be kindly consulted as to the interpretation of the above rules and the result intimated so that further action if any may be taken by this office.

In this connection, I invite kind reference to my No.7/S.B. dated 4-7-30 bringing to notice the inconvenience attaching to the rule 78A of the Savings Bank Rules.

" Copy "

M B Lammy

Superintendent, Records Section,
Comptroller's Office, Bangalor

CV 2137.2

LS.

5268
H.

8

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. 327/S.B. E/ Bangalore, dated 2nd February 1931.

5 FEB. 1931

FINANCIAL BRANCH
6 FEB. 1931
GENL & REV. SECTT.

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

To

Rajasevaparayana
B. Sreenivasa Iyengar, Esq., B.A.,B.L.,
Financial Secretary to the Government of Mysore, B a n g a l o r e.

Sir,

I have the honour to state that a sum of R$4,179-0-11 was at credit of S.B. Account No.586 in the name of Mr. Munivenkatappa in the Malur Taluk Treasury on 1st August 1928. The depositor died without nominating anybody to his account. The eldest son of the deceased, Venkataswamy applied on 3rd May 1929 to the treasury for payment. The treasury on 6th May 1929 intimated that payment could be made only on production of a Succession Certificate. Accordingly a sum of R$4,179-0-11, as directed in the Succession Certificate was paid to him on 21st December 1929 and an Extension Certificate was called for, for the payment of the accrued interest. The Extension Certificate is now produced and the full amount of interest upto date claimed.

2. The Rules for with-holding the payment of interest are laid down in note 2 of Savings Bank Rule 40 intended for the guidance of depositors and in Savings Bank Rule 78(A)(1) intended for the guidance of the treasury. According to rule 78(A) the interest for the year ending 30th June 1930 has been disallowed as the party was asked on 6th May 1929 to produce a Succession Certificate and have his amount refunded, considering this as a notice under rule 78(A) of the Savings Bank Rules.

3. He has now issued a lawyer's notice (copy enclosed) to the Chief Secretary to Government, stating that a regular notice intimating the non-payment of interest was not issued by the Treasury and that therefore the party is entitled to interest to-date.

4 Under the circumstances the Law Department of Government may be kindly consulted as to the interpretation of the above rules and the result intimated, so that further action, if any may be taken by this office.

5 In this connection I invite kind reference to my No.7/S.B. dated 4th July 1930 bringing to notice the inconvenience attaching to the rule 78(A) of the Savings Bank Rules.

1523

I have the honour to be,
sir,
Your most obedient servant,

Comptroller.

SK

9

Letter dated 21st January 1931 from Mr.N.Balakrishnaiya B.A., L.L.B., Seshadripuram, Bangalore, to the Chief Secretary to Govt., Bangalore.

========

Ref - No.253/S.B. dated 15th December 1930 from the Comptroller the Government of Mysore, Bangalore.

We are desired to inform you as follows under instructions from M. Venkataswamy, son of Munivenkatappa, Tailor, Malur:-

One Munivenkatappa, our client's father had deposited monies in the Government Savings Bank in the Taluk Treasury at Malur bearing S.B.Account No.586. He died in April 1929 On 1-8-1929 there was a sum of Rs 4031-12-4 to his credit in the Bank Account. On 3-8-1929 our client who is the eldest son of Munivenkatappa the deceased depositor, intimated the death of his father and applied for the transfer of the account, standing in the name of his deceased father to that of his own name. In reply to the said petition our client was given an endorsement that the transfer prayed for will be effected if he produces a Succession Certificate. Accordingly, our client did produce a Succession Certificate and was allowed to withdraw a sum of Rs 4179-0-0 on 21-12-29.

The Treasury Officer at Malur further intimated to our client in his letter No.147/29-30 dated 30-11-29 that a sum of Rs 4360-8-4 is due to him till the end of June 1929 and that he should therefore produce the required certificate for the full amount at his credit. He produced the Extension Succession Certificate and applied for payment. But in the meanwhile, the Comptroller has issued ordered that our client is not entitled to any interest from 1-5-29, the 1st of the month in which notice under Rule 78A of the Savings Bank Rules, was issued.

We may, at the very interest, state that no notice

under Rule 78A of the Savings Bank Rules has ever been received by him. Rule 78A states that the Treasury Officer should issue "a notice to the person or persons recognised as entitled to it (deposit amount), calling upon such person or persons to receive the balance and close the account and setting forth that the amount will cease to earn interest from the 1st of the month in which such notice is issued"; and it is clear that that rule does not apply to the present case.

Our client w s prepared to withdraw the amount standing in the name of his father and open his own account as shown by his application dated 3-5-29. But the Treasury Officer at Malur wanted him to establish his claim which naturally required sometime anc our client did produce the title as desired. Presumably the Comptroller has regards the endorsement dated 6-5-29 issued by the Treasury Officer at Malur to be the notice and has therefore been led into the error of treating it as such, although the said endorsement does not fulfil any of the conditions laid down in rules 78A of the Savings Bank Rules and thus deprived our client of the legitimate interest due to him till the date of withdrawal.

We would now request you to be so good as to kindly order the payment of interest accrued due on Rs 4360-8-4 from 1-5-29 upto 21-12-29 which is wrongfully withheld, to our client failing which he will be constrained to seek his remedy in a Court of Law for the recovery of the interest due with all costs incidental thereto. Please therefore treat this as the notice required under Section 80 of the C.P.Code.

I am,
Yours faithfully,
Sd/- N. Balakrishnaiaya
Advocate.

Copy forwarded to the Comptroller the Govt of Mysore, Bangalore, for information.

Sd/- N.Balakrishnaiya
Advocate,

" Copy"

11

Appendix F G—1

SUBJECT.....

.....

.....

Section Law

File No. 99-30

Serial No. 6

No.

Immediate / 5082

To

The Comptroller

Sir,

With reference to your letter ~~of~~ No: 341/S.B. dated 6th Febr 1931 regarding the claim for interest on S.B. account No: 586 of Malur Taluk Treasury, I am to request you to forward immediately for reference a copy of the letter addressed to the party by the Treasury on 6th May 1929 upon which the claim has been disallowed. I am

over

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 14/2/31

Signed by M. Rao

List of enclosures.....

Copied by

Examined by.....

WD 02327—GPB—5,000—15-4-30

also to enquire whether the
said letter was issued ~~after~~ to
the person ~~to whom it was addressed~~ who
~~was~~, after an enquiry prescribed
in Rule 78A, was recognised
as entitled to receive the
amount in question. The
~~The~~ Connected records of the
Case may also be kindly
sent for perusal & return

D Haveek

Mr

Legal

DPH
12/2

IMMEDIATE.

14th February 1931.

5082

The Comptroller to Government,
Bangalore.

With reference to your letter No. 341/S.B. dated 6th February 1931 regarding the claim of interest on Savings Bank account No. 586 of Malur Taluk Treasury, I am to request you to forward immediately for reference a copy of the letter addressed to the party by the Treasury on 6th May 1929 upon which the claim has been disallowed. I am also to enquire -- whether the said letter was issued to the person who after an enquiry prescribed in Rule 78A, was recognised as entitled to receive the amount in question. The connected records of the case may also be kindly sent for perusal and return.

I have the honor to be,

Sir,

Your most obedient servant,

For Legal Remembrancer and
Secy. to Govt.Law Deptt.

c.n.

13

Appendix F G—1

SUBJECT.....

.....

.....

R. 1

Section Leave

File No. 99-30

Serial No. 5

No. P 5083

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 14/5/31

Signed by..... M. Pray

To

N. Balakrishnia Esq BA, BL

Advocate, Palghat

Sir,

With reference to the notice dated 29th Jan 1931 issued by you under sec 80 C.P.Code on behalf of your Client M. Venkataswamy son of Muniveerakatha of Malur, I am directed to state that the matter is under enquiry & further communication will be sent to you in due course — over I have ch

List of enclosures.....

Copied by.....

Examined by.....

Copy to M. Venkataswami Jaitor Malur P 5084

Copy to Complainant to get information

WD 02327—GPB—5,000—15-4-30

L.R..

16

14th February 1931.

N.Balakrishnia, Esq., B.A., L.B.,
Advocate, Balepet, Bangalore City.

With reference to the notice dated 21st January 1931 issued by you under section 80 Civil Procedure Code on behalf of your client M.Venkataswamy son of Munivenkatappa of Malur, I am directed to state that the matter is under enquiry and further communication will be sent to you in due course.

I have the honor to be,

Sir,

Your most obedient servant,

Sd/- P.Mahadevayya.

Legal Remembrancer and
Secretary to Govt.Law Deptt.

c.n.

Memo No.P.

Copy of the above is forwarded with compliments to the Comptroller to Government for information.

By Order,

For Legal Remembrancer and
Secy. to Govt.Law Deptt.

ISD

15 [illegible] -832

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. 392/ S.B. Bangalore, dated 13th March 1931.

2/ No: 1 file containing 11 papers.
No: 2. A file No: 62 of L. B. Section.

Law 99-30-6

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

To

P. Mahadevayya Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

As desired in your letter No.95082/Law dated 14th February 1931, I have the honor to forward herewith the entire file of correspondence between this office and the Malur Taluk Treasury, together with the Treasury Extract of the "To" Register No.219 dated 8-5-29 regarding the claim of interest on Savings Bank Account No.586 of Malur Taluk Treasury.

The file may be kindly returned when no longer required.

I have the honor to be,
Sir,
Your most obedient servant,

D. Sudha Rao
13-3-31

For Comptroller.

CV 213 13/3

Law

D.M. 14/3

89 14/3

16

To

The Comptroller to Government
through Finl. Sectt.

Sir,

With reference to the correspondence ending with your letter No. 392 S.B. dated 13th March 1931 regarding notice of suit by Mr. N.Balakrishnaiya, Advocate on behalf of Mr. M. Venkatasami claiming interest on -- Savings Bank account No. 586 of Malur Taluk Treasury, I am directed to state that the Treasury Officer's letter of 8th May 1929 to the party asking for a succession certificate before his claim to the amount is admitted is not an unconditional tender as required by rule 40 of the Savings Bank rules and as such the party is entitled to the interest at the agreed rate till the date of payment.

The claim may therefore be settled early a and the matter reported to this office for information.

I have etc.,

Legal Remembrancer to Govt.

ISD

c.n

17

30th March 1931.

N.Balakrishnaiya, Esq.,B.A., LL.B.,
Advocate, Balepet Chowk, Bangalore City.

In continuation of this office No.P. 5083\dated 14th February 1931 regarding the notice issued by you on behalf of M.Venkatasami of Malur, I am directed to state that -- necessary instructions have been issued to the Comptroller for the payment of interest on the deposit till the date of payment according to rules. The Comptroller to Government may therefore be approached in the matter for further action

I have the honor to be,
Sir,
Your most obedient servant,

For Legal Remembrancer and
Secretary to Government
Law Department.

ISD

c.n.

Appendix F G—1

SUBJECT.....

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Section Land

File No. 97-30

Serial No. 86

No. J 6161

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 193 .

To

N. Balakrishna Esq

Advocate

Date of issue 30/3/37

Signed by M-N-A

Sir,

In continuation of this office No: P5083 dated 14th Febr 93 regarding the notice issued by you on behalf of M. Venkatasami of Kalur, I am directed to state that necessary instructions have been issued to the Comptroller ~~the matter~~ for the payment of interest on the deposit till the date of payment

List of enclosures.....

Copied by.....

Examined by.....

[over

WD 02559—GPB—25,000—25-6-36

according to rules. The Comptroller
in Govt may therefore be
approached in the matter for
further action —

M. Howe of

Appendix F G—1

SUBJECT.....

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Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 193

Date of issue 4/4/31

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

No. P 6392 Records

To

The Comptroller

Sir,

In Continuation of this office letter No. P. 6162 dated 30-3-31 I am directed to return herein the entire file of papers re: the notice of suit by Mr. V. Balakrishnaraya, Advocate on behalf of Mr. M. Venkatarao Claiming interest on S.B. a/c No 506 of Malur Taluk Treasury, forwarded with your letter No 392/S.S. dated 13.3.31.

over

WD02327—GPB—5,000—15-4-30

TSD 1/4

Jnl 1/4 I have for Ltt